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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,169	02/26/2004	Andreas Hayden	080437.53242US	3465

23911　　7590　　05/04/2005	EXAMINER
CROWELL & MORING LLP	TO, TUAN C
INTELLECTUAL PROPERTY GROUP	

	ART UNIT	PAPER NUMBER
P.O. BOX 14300	3663	
WASHINGTON, DC 20044-4300		

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/786,169	HAYDN, ANDREAS
	Examiner	Art Unit
	Tuan C To	3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07/19/2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>19 July 2004</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☒ All   b)☐ Some * c)☐ None of:

   1.☒ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>02/26/2004</u>.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "3a" has been used to designate both control unit and memory. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

In addition, the objection is made on the drawings because the drawings contain hand-writing.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in

public use or on sale in this country, more than one year prior to the date of application for patent in

the United States.

(e) the invention was described in a patent granted on an application for patent by another

filed in the United States before the invention thereof by the applicant for patent, or on an

international application by another who has fulfilled the requirements of paragraphs (1), (2),

and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-20 are rejected under 35 U.S.C. 102(a) as being anticipated by

Brunts et al. (US 5887269A).

With respect to claims 1 and 6, Brunts et al. disclose a navigation system

and a process of storing and updating the data that is stored in a non-volatile

memory card such as PCMCIA memory card (Brunts et al., column 7, lines 35-

49) that is used with the memory card interface (36) for reading the data stored in

the memory. The data stored in the memory card is encrypted and contains a

user data identification code such as a sequence of identification numbers,

alphanumeric or symbolic characters or combination. As set forth in column 7,

lines 20-24, the memory card is coupled with a control unit that has a compatible

program compatible with the memory card, which is the claimed data carrier of

the present invention.

With regard to claim 2, the memory card represented in the Bruntss et al.

patent is the claimed data carrier, and that the memory stores the navigation data

for use by said navigation system (Brunts et al, column 6, lines 55-65).

With regard to claim 3, Brunts et al. disclose that the memory card (Brunts

et al, figure 3, 36; figure 8, 120) comprises flash memory (Brunts et al, column

12, lines 55-57).

With regard to claim 4, it should be noted that the computer that is discussed above herein is carried out under a compatible program (Brunts et al, column 7, lines 20-24).

With regard to claim 5, a user can save the destination related information on such the memory card.

With regard to claim 7, the data stored on such the memory card is encrypted and contains a user data identification code such as a sequence of identification numbers.

With regard to claim 8, Brunts et al. disclose that the memory card that the encrypted data. That is meant the data is put in program code.

With regard to claim 9, the data stored on the mentioned herein memory card have been encrypted (Brunts et al., column 7, lines 55-57).

With regard to claim 10, as illustrated in column 10, lines 53-67; and column 11, lines 1-10, the act of storing or updating data is performed by the navigation board (68) which contains control microprocessor (92) (Brunts et al, figure 4). The decryption algorithm stored within the ROM (100) can decrypt the encrypted data. It is important to recognize that the processor checks for the integrity of the control unit data readout from the memory card. After descrypting, the data can be read and processed by the navigation system. Therefore, the data is updated when the decrypting is correct.

With regard to claim 11, Brunts et al. teach that the memory card interface (36) read the data from the memory card when the data information access is

authorized (Brunts et al., column 7, lines 50-52). Thus, the data that is stored in the memory card is validity (or authenticity) to access.

With regard to claim 12, Brunts et al. disclose the limitations "storing and/or updating of the control unit data is carried out only after a corresponding release by an authorization system, the authorization system preferably being under control of a vehicle manufacturer of the corresponding vehicle" (See column 3, lines 45-67).

With regard to claim 13, the data stored in the memory card (data carrier) is encrypted and they contain a sequence of identification number that is matched with the navigation identification code of the vehicle (Brunts et al. column 7, lines 50-65).

With respect to claim 14, Brunts et al. disclose a navigation system/method for storing and updating the data that is stored in a non-volatile memory card such as PCMCIA memory card (Brunts et al., column 7, lines 35-49) that is used with the memory card interface (36) for reading the data stored in the memory. The data stored in the memory card is encrypted and contains a user data identification code such as a sequence of identification numbers, alphanumeric or symbolic characters or combination. As set forth in column 7, lines 20-24, the memory card is coupled with a control unit that has a compatible program compatible with the memory card as discussed above.

With regard to claim 15, the navigation board (68) as represented herein contains its own microprocessor (92), and that said microprocessor (92) has built-in RAM, EEPROM (98), ROM (100), a serial input/output (102), and

input/output (104), and that EEPROM, ROM contain programmable instruction

for implementing the navigation process as discussed above.

With respect to claim 16, Brunts et al. disclose a navigation

system/method for storing and updating the data that is stored in a non-volatile

memory card such as PCMCIA memory card (Brunts et al., column 7, lines 35-

49) that is used with the memory card interface (36) for reading the data stored in

the memory. The data stored in the memory card is encrypted and contains a

user data identification code such as a sequence of identification numbers,

alphanumeric or symbolic characters or combination. As set forth in column 7,

lines 20-24, the memory card is coupled with a control unit that has a compatible

program compatible with the memory card as discussed above.

With regard to claim 17, Brunts et al. disclose that on board system

comprises a navigation system.

With regard to claim 18, Brunts et al. disclose that the memory card

(Brunts et al, figure 3, 36; figure 8, 120) comprises flash memory (Brunts et al,

column 12, lines 55-57).

With regard to claim 19, as explained in Brunts et al, the memory card is

the claimed data carrier, which contains a plurality of data including navigation

data which can be applicable to a plurality of vehicles, and that the navigation

system disclosed in Brunts et al. comprises a processor is provided for

controlling the reading data from the memory card. It should be noted the data

has been read by the data reader, which is the memory card interface (36).

With regard to claim 20, the memory card also stores the identification

code which coincides with the identification code for the vehicle reading device,

which reads on the limitation "characterizing information is stored in a memory

maintained by a manufacturer of the vehicle. The identification code is

considered as the characterized information maintained by the vehicle

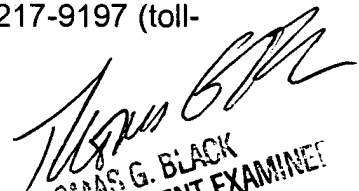manufacturer.

Conclusions

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Tuan C To whose telephone number is (571)

272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Thomas Black can be reached on (571) 272-6956.

The fax phone number for the organization where this application or

proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

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direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

/tc

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